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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,378	01/22/2004	Yoshihiko Uchida	8048-1037	2416

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EXAMINER

QUARTERMAN, KEVIN J

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,378

Applicant(s)

UCHIDA ET AL.

Examiner

Kevin Quarterman

Art Unit

2879

AM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 0104.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi (US 5,142,192).

3. Regarding independent claim 1, Figure 11 of Takahashi shows an electroluminescence display panel comprising a substrate (83) having a light transmissive property and having a first surface and a second surface, the second surface being opposite to the first surface; a first electroluminescence element disposed on the first surface of the substrate; and a second electroluminescence element disposed on the second surface of the substrate, wherein the second electroluminescence element is formed so as to transmit light, and positioned in a place opposite to the first electroluminescence element.

4. Regarding claim 2, Figure 11 of Takahashi shows the first electroluminescence element comprising a first electrode (84) disposed on the first surface of the substrate and having a light transmissive property (col. 1, ln. 17-31); an electroluminescence layer

(86) disposed on the first electrode disposed on the first electrode; and a second electrode (88) disposed on the electroluminescence layer.

5. Regarding claim 3, Figure 11 of Takahashi shows the second electroluminescence element comprising a first electrode (93) disposed on the first surface of the substrate and having a light transmissive property (col. 1, ln. 17-31); an electroluminescence layer (95) disposed on the first electrode disposed on the first electrode; and a second electrode (97) disposed on the electroluminescence layer and having a light transmissive property.

6. Regarding claim 4, Takahashi discloses that the second electrode of the second electroluminescence element may be made of indium zinc oxide (col. 1, ln. 17-31).

7. Regarding claim 5, the Examiner notes that apparatus claims must be structurally distinguishable from the prior art (MPEP § 2114). The propagation of light emitted from the first electroluminescence element adds no additional structure to the claim and thus, has not been given any patentable weight.

8. Regarding claim 6, the Examiner notes that apparatus claims must be structurally distinguishable from the prior art (MPEP § 2114). The propagation of light emitted from the first electroluminescence element adds no additional structure to the claim and thus, has not been given any patentable weight.

9. Regarding claim 7, Figure 11 of Takahashi shows a display area formed in each of the first surface and the second surface; a plurality of the first electroluminescence element disposed in a predetermined arrangement in the display area formed on the first surface of the substrate; a plurality of the second electroluminescence element

Art Unit: 2879

disposed in a predetermined arrangement in the display area formed on the second surface of the substrate; and each of the plurality of the first electroluminescence element formed on the first surface of the substrate and each of the plurality of the second electroluminescence element formed on the second surface of the substrate are in an opposite relationship to each other.

10. Regarding claim 8, Takahashi discloses the substrate being made of glass (col. 8, ln. 18).

11. Regarding claim 10, Figure 11 of Takahashi shows a value obtained by multiplying n by d , wherein n is refraction index of the substrate and d is thickness of the substrate, being not less than 5mm.

12. Regarding claim 11, Figure 11 of Takahashi shows the substrate being a lens array.

13. Regarding independent claim 12, Figure 11 of Takahashi shows a display apparatus comprising an electroluminescence display panel including a substrate (83) having a light transmissive property and having a first surface and a second surface, the second surface being opposite to the first surface; a first electroluminescence element disposed on the first surface of the substrate; and a second electroluminescence element disposed on the second surface of the substrate, wherein the second electroluminescence element is formed so as to transmit light, and positioned in a place opposite to the first electroluminescence element; a picture signal supply device (Figs. 7 & 8); and a brightness control device (col. 6, ln. 5-42).

14. Claims 1-3, 5-6, and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanahara (US 6,611,097).

15. Regarding independent claim 1, Figure 4 of Hanahara shows an electroluminescence display panel comprising a substrate (21) having a light transmissive property and having a first surface and a second surface, the second surface being opposite to the first surface; a first electroluminescence element disposed on the first surface of the substrate; and a second electroluminescence element disposed on the second surface of the substrate, wherein the second electroluminescence element is formed so as to transmit light, and positioned in a place opposite to the first electroluminescence element.

16. Regarding claim 2, Figure 4 of Hanahara shows the first electroluminescence element comprising a first electrode (22A) disposed on the first surface of the substrate and having a light transmissive property (col. 4, ln. 9-13); an electroluminescence layer (3A) disposed on the first electrode disposed on the first electrode; and a second electrode (14A) disposed on the electroluminescence layer.

17. Regarding claim 3, Figure 4 of Hanahara shows the second electroluminescence element comprising a first electrode (22) disposed on the first surface of the substrate and having a light transmissive property (col. 4, ln. 9-13); an electroluminescence layer (3) disposed on the first electrode disposed on the first electrode; and a second electrode (14) disposed on the electroluminescence layer and having a light transmissive property.

Art Unit: 2879

18. Regarding claim 5, the Examiner notes that apparatus claims must be structurally distinguishable from the prior art (MPEP § 2114). The propagation of light emitted from the first electroluminescence element adds no additional structure to the claim and thus, has not been given any patentable weight.

19. Regarding claim 6, the Examiner notes that apparatus claims must be structurally distinguishable from the prior art (MPEP § 2114). The propagation of light emitted from the first electroluminescence element adds no additional structure to the claim and thus, has not been given any patentable weight.

20. Regarding claim 9, Hanahara discloses that the substrate is made of transparent plastic (col. 2, ln. 64-65).

21. Regarding claim 10, Figure 4 of Hanahara shows a value obtained by multiplying n by d , wherein n is refraction index of the substrate and d is thickness of the substrate, being not less than 5mm.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee (US Pub. 2005/0023975) discloses a self-charging organic electroluminescent display device. Uchida (US 6,545,408) discloses an organic electroluminescent light source with high brightness.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (571) 272-2461. The examiner can normally be reached on M-TH (7-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Quarterman
Examiner
Art Unit 2879

kq 
17 September 2005


Joseph Williams
Primary Examiner
Art Unit 2879